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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,531	02/02/2001	Koichi Ando	016907/1200	6281
22428	7590	05/06/2004	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			GIBBS, HEATHER D	
			ART UNIT	PAPER NUMBER
			2622	
			DATE MAILED: 05/06/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/773,531

Applicant(s)

ANDO, KOICHI

Examiner

Heather D Gibbs

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

DETAILED ACTION

*Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,6 are rejected under 35 U.S.C. 102(b) as being anticipated by Nagano (US 5,920,408).

Regarding claim 1, which is representative of claim 6, Nagano teaches of a carriage comprising: an electrically conductive frame 13 disposed near an original surface of a substantially horizontally set original, and extending in a first direction in parallel with the original surface; a cold cathode fluorescent lamp for illuminating the original surface, the cold cathode fluorescent lamp 17 extending in the first direction and being disposed on the frame (Col 4 Lines 37-42); an optical member 18 for guiding reflection light reflected by the original surface; and a lighting circuit 15, attached to one end portion of the frame near a positive electrode of the cold cathode fluorescent lamp, for lighting the cold cathode fluorescent lamp (Col 3 Lines 25-38).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2,5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano (US 5,920,408) in view of Banios (US 2,923,854).

Nagano teaches of the carriage as discussed above in claim 1.

Nagano does not disclose expressly wherein a weight for stabilizing a weight balance in the first direction is attached on a side of the other end portion of the frame, which is distanced from the lighting circuit in the first direction.

Banios discloses a fluorescent light circuit wherein a grounded plate is placed on the frame to stabilize the weight (Col 2 Lines 12-25).

Nagano and Banios are compatible because they share cumulative features making them additive in nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Banios in conjunction with Nagano as Banios teaches that his system relates to fluorescent lighting and can be used particularly for lighting systems for circuitry.

The suggestion/motivation for doing so would have been found in Col 1 Lines 15-17.

Therefore, it would have been obvious to combine Banios with Negano to obtain the invention as specified in claim 2.

Claim 5 is rejected under the same grounds, as it is representative of claims 1-2.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano (US 5,920,408) in view of Banios (US 2,923,854) as applied to claim 2 above, and further in view of Yamazaki et al (JP 362113595A).

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Nagano and Banios teach of the scanner carriage as discussed above in claim 2, but fails to particularly point out wherein said weight comprised an original size sensor for sensing a size of the original.

Yamazaki et al discloses an electronic transfer device wherein a driver ensures the size and weight of a manuscript.

Negano, Banios, and Yamazaki are combinable because they share cumulative features relating to an image processing system making them additive in nature.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the invention of Yamazaki as Yamazaki teaches wherein his electronic transfer device utilizes means for scanning and detecting an image as such disclosed in Negano and Banios.

The suggestion/motivation for doing so would have been found in the PURPOSE/CONSTITUTION of Yamazaki et al.

Therefore, it would have been obvious to combine Negano and Banios with Yamazaki to obtain the invention as specified in claim 3.

7. Claims 4,8,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Negano (US 5,920,408) in view of Daley (US 4,765,424).

Negano discloses the carriage as discussed above in claim 1.

Negano does not disclose expressly wherein a wall thickness of said one end portion of the frame is less than a wall thickness of the other end portion of the frame, which is distanced from the lighting circuit in the first direction, thereby to stabilize a weight balance in the first direction.

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Daley teaches of an apparatus for transporting a suspension cradle which has a frame that includes a weight for balance stabilization and allows for variations in wall thickness of the tower rim Col 3 Lines 54-68; Col 4 Lines 1-4).

Negano and Daley are combinable because they involve transporting a carriage-like item.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Daley's apparatus as to be used in the carriage of Nagano as Daley teaches of a device mounted on the surface by means adapted to move the device along the surface.

The suggestion/motivation for doing so would have been obvious as both systems utilize a form of cradle for transporting devices (i.e. Carriages or towers).

Therefore, it would have been obvious to combine Daley with Nagano to obtain the invention as specified in claim 4.

Claims 8,11 are representative of claim 4.

8. Claim 7,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Negano (US 5,920, 408) in view of Yamazaki et al (JP 362113595A).

Negano discloses the carriage as discussed above in claim 5.

Negano does not disclose expressly wherein said weight comprised an original size sensor for sensing a size of the original.

Yamazaki et al discloses an electronic transfer device wherein a driver ensures the size and weight of a manuscript.

Negano and Yamazaki are combinable because they share cumulative features such as image processing devices, making them additive in nature.

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the invention of Yamazaki to be included in that of Negano as Yamazaki teaches wherein his electronic transfer device utilizes means for scanning and detecting an image as disclosed in Negano.

The suggestion/motivation for doing so would have been found in the PURPOSE/CONSTITUTION of Yamazaki et al.

Therefore, it would have been obvious to combine Negano with Yamazaki to obtain the invention as specified in claim 7.

9. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Negano (US 5,920,408) and Banios (US 2,923,854) as applied to claims 1-2 above, and further in view of Dietz et al (US 5,653,714).

Negano and Banios teach of the carriage/scanner as discussed above in claims 1-8, but fail to particularly point out wherein two rails extending along the original surface in a second direction perpendicular to the first direction, the two rails supporting both the end portions of the frame such that the frame may slide in the second direction.

Negano further teaches and light-receiving means for receiving the reflection light guided by the optical member (Col 3 Lines 25-38).

Dietz discloses wherein two rails extending along the original surface in a second direction perpendicular to the first direction, the two rails supporting both the end portions of the frame such that the frame may slide in the second direction (Col 2 Lines 34-65; Col 4 Lines 34-53).

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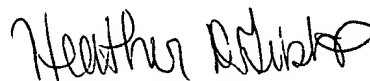
At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Dietz with the system of Negano and Banios as all systems utilized an image processing analysis, making them additive in nature.

*Conclusion*

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Heather D Gibbs  
Examiner  
Art Unit 2622



EDWARD COLES  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600